

From: Miyashiro, Thomas <thomas.miyashiro@doh.hawaii.gov>
Sent: Tuesday, January 11, 2011 11:57 AM
To: Lottig, Justin <JLottig@wm.com>
Cc: Ichinotsubo, Lene K <lene.ichinotsubo@doh.hawaii.gov>; Ruiz, Jose A <jose.ruiz@doh.hawaii.gov>; Fujimoto, Janice K <janice.fujimoto@doh.hawaii.gov>; Frey, Jesse <jfrey@wm.com>; Whelan, Joseph <JWhelan1@wm.com>
Subject: RE: Incident Alert and Follow Up on Today's DOH Inspection

Hi Justin and Jesse: Per our discussion yesterday, Jan. 10, 2011, we understand that Ron Boyle was on site to inspect and assess cell E6 with regard to adequacy for returning E6 to operation, and that WMH will be issuing a report to DOH to assess the adequacy of E6 for return to operation.

We understand that the assessment will include, but not be necessarily limited to, the following:

- a. Condition of liner system, including the geomembrane encapsulating the GCL, the drainage, operations and select waste layers, with respect to the effects of the storm flows and falling rocks. We understand that this initial assessment will be for areas that will be placed into operation, and will not necessarily cover the entire lined area of E6. Areas not placed into operation will be assessed as resources and qualified personnel become available.
- b. The condition of the leachate collection system, particularly in the northern end of the lined area which may have been disturbed by the in-rushing storm water, and the possible infiltration of mud into the leachate collection and discharge riser piping in the sump area. We understand that the top of the discharge risers are still submerged and will probably not be exposed for some time.

In addition to restoring entrance to the 36-inch storm bypass pipe in cell E7 and adjacent ground level to plan level requirements, can additional measures be taken to improve the drain pipe performance, i.e., reduce its susceptibility to clogging? The interior of the 36-inch pipe was reported to be clean. According to the construction plan, the inlet grating should be about 3 feet above the adjacent ground.

We understand that a report documenting the assessments by Ron Boyle and WMH that the portion of cell E6 where MSW is to be placed has been determined to be functional, in compliance with applicable specs and requirements, and will not cause a violation of environmental regulations, will be provided to DOH prior to resuming operation in that portion of cell E6. While we do not condone placing a waste cell in operation without a working leachate collection and discharge system, we understand under the present circumstances that your choices are very limited, and that extraordinary measures must be taken in the interest of maintaining public health and safety. We expect that assessments and statements of adequacy covering all aspects of the containment, leachate collection and discharge and storm water control systems for cell E6 will be provided prior to returning the entire lined portion of cell E6 to service.

Thanks.
Tom

From: Lottig, Justin [mailto:JLottig@wm.com]
Sent: Thursday, December 30, 2010 3:20 PM
To: Ichinotsubo, Lene K
Cc: Fujimoto, Janice K; Whelan, Joseph; Frey, Jesse; Von Pein, Rick; Keener, Laura; Miyashiro, Thomas; Ruiz,

Jose A

Subject: Incident Alert and Follow Up on Today's DOH Inspection

Aloha Lene,

Today, Jose and Tom were at the site to inspect the progress of cell E6 repairs. Although I was not involved with today's inspection, I spoke with our Engineer, Jesse Frey, and he was. According to Jesse, Jose asked if we were going to submit an incident alert for the storm that happened late on 12/27/10. Our initial notification was to Jose and Tom verbally when they were at the site on 12/28. I've attached a copy of the follow-up.

During the inspection today, the DOH reminded Waste Management that the Emergency Action Plan (EAP) must be implemented per item 13.b.ii. This plan was implemented preceding and following both storms. The EAP requires that:

Prior to a forecasted storm,

- *WGSL personnel will inspect all drainage on-site structures to verify that they are in working order.*
- *Excessive silt in ditches and basins will be removed and the condition of pipes and discharge structures from basins will be verified.*
- *Diversion berms will be constructed around the current disposal area as needed to prevent run-on from entering the waste fill, and to prevent runoff from the waste fill areas of the site.*
- *Interim cover will be placed over exposed waste at the end of the working day prior to the forecasted beginning of a severe storm.*

All of these items were completed before and following both storms. Additionally, the EAP says that:

A Severe Storm Inspection (Post-Hurricane / Severe Storm Forms [Appendix B]) will be conducted, if necessary, during any prolonged storm event to correct or repair any conditions that have been damaged or that may cause damage to on-site or off-site facilities. Excessive silt/sediment will be excavated out of the sedimentation basin and drainage channel/ditches as necessary.

A severe storm form was completed for each storm on the days following each respective storm. Those forms are attached. On the day following the storm on December 20, WM took the extra step of having a certified engineer complete the inspection, although this was not required by the plan or the permit. Site management completed the form on December 28.

It is unclear to me where there is a requirement to use a certified engineer to complete the inspection. According to permit condition 13.c:

If the acceptance and disposal of waste ceases, the permittee(s) shall submit a written evaluation of whether waste acceptance can resume. The evaluation shall be prepared by a professional engineer

registered in the State of Hawaii and the Site Manager, certifying that the landfill and its associated environmental controls are functional, equivalent, or better than required, and that operation of the landfill will not cause a violation of environmental regulations.

However, waste acceptance and disposal was reduced, but it did not cease on any of the affected days.

Please let me know if you have any other questions. Thank you.

<<WGSL Severe Storm Damage Report_122010.pdf>> <<Incident Alert Form Follow up 123010.pdf>>
<<WGSL Severe Storm Damage Report_122810.pdf>>

Justin H. Lottig

Environmental Protection Manager

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Waste Management recycles enough paper every year to save 41 million trees. Please recycle any printed emails.